Appl. No. 09/925,159
Amdt. sent March 9, 2006
Reply to Office Action of September 14, 2005

PATENT

REMARKS/ARGUMENTS

Claims 1-21 are pending.

The Office action noted that the incorporation by reference of related applications made in the specification was ineffective.

Claims 1-21 are rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement.

Claims 1-3, 5, 7-10, 12, 14-17, 19 and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Neches, U.S. Patent No. 5,276,899.

Claims 4, 6, 11, 13, 18, and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Neches.

As to the specification, the paragraph bridging page 7 and page 8 has been replaced.

As to the Section 112 rejection, the limitation "wherein each forward message is received at a destination directly from the source" has been canceled. The Section 112 rejection is believed to be moot in light of the canceled limitation.

Independent claims 1, 8, and 15 have been amended to more clearly recite the features of the present invention, as illustrated in the embodiment shown in Fig. 1. The claims as amended are disclosed in the specification as originally filed, and thus do not add new matter.

"receiving forward messages" and "receiving availability signals"

Claim 1 recites receiving forward messages from a source where each message is addressed to a corresponding destination, and receiving availability signals indicating that a destination is available to accept its corresponding forward message. The examiner cited portions of the Neches reference as teaching this combination of features. However, as explained below, Neches does not show receiving forward messages addressed to destinations and receiving availability signals from destinations that can accept their respective forward messages.

The examiner identified "host computer" as the recited *"source"* and "interface processor/other processors" as the recited *"destinations."* However, the examiner did not

Appl. No. 09/925,159
Amdt. sent March 9, 2006
Reply to Office Action of September 14, 2005

PATENT

identify a figure or a passage in the reference. A review of Neches at Fig. 1 shows a host

computer system (10) connected to an interface processor (IFP 14). *Col. 7, lines 54-56.* Fig. 1

also shows access module processors (AMPs 18, 19, etc). *Col. 9, lines 35-40.* As best

understood and for the discussion below, the undersigned will assume the examiner was referring

to Neches' host computer (10) in Fig. 1 as the recited *"source"* and Neches' IFP/AMPs (14, 18,

19, etc) as the recited *'destinations."*

The examiner cited Neches' "status indicators" as the recited *"availability*

signals," without citing a figure or a passage in the reference. A search of the reference shows

an extensive discussion of status handling in the section entitled "GLOBAL

INTERCOMMUNICATION AND CONTROL," beginning at column 15, line 8. As understood

this section deals with interaction between IFP/AMPs and the network 50 shown in Fig. 1.

In a Section 102 rejection, it is not enough that a reference discloses all the

claimed elements in isolation. Anticipation also requires that all the claimed elements must

found in the reference and be arranged as recited in the claim.

Fig. 1 shows that host computer 10 communicates with IFP/AMPS 14, 16, 18.

However, the Neches "status indicators" cited by the examiner has no role in communications

between host computer 10 and IFP/AMPs. As mentioned above, the "status indicators" are used

in connection with communication between IFP/AMPS and the internal nodes comprising

network 50. Thus, whereas, the claims recite receiving availability signals indicating that a

destination is available to accept its corresponding forward message, Neches does not show

when a hosts send a message to an IFP/AMP, that the IFP/AMP returns status information back

to the host. Neches does not show the claimed elements arranged as recited in the claims.

Therefore, the portions of Neches cited in the Office action do not show receiving forward

messages from a source where each message is addressed to a corresponding destination, and

receiving availability signals indicating that a destination is available to accept its corresponding

forward message.

A further review of Neches reveals that Figs. 2A-2H and column 13, line 36

through column 14, line 67 provide a discussion of an example of a communication sequence

between the IFP/AMPs and the network 50. In this example, Neches does not show the recited

Appl. No. 09/925,159
Amdt. sent March 9, 2006
Reply to Office Action of September 14, 2005

PATENT

"receiving, from a source, a plurality of forward messages each addressed to a corresponding destination among a plurality of destinations" and then "receiving a plurality of availability signals." For example, Fig. 2B shows IFP 14 and AMP 18, each sending a message "E" to node IN_1. IN_1 sends back an IDLE packet. The IDLE packet is not the recited "*availability signal.*"

A still further review of Neches reveals that the reference provides a discussion of processor-to-processor communication beginning at column 37, line 52. Neches discloses communicating between an originating processor and a destination processor. *Col. 37, lines 58-59.* Neches discloses "state of readiness" beginning at column 39, line 56. However, this relates to readiness with respect to a task. *Id at line 59-60.* There is no disclosure of "receiving, from a source, a plurality of forward messages each addressed to a corresponding destination among a plurality of destinations" and "receiving a plurality of availability signals, each availability signal indicating that one of the destinations is available to accept its corresponding forward message."

For at least the foregoing reasons, it is earnestly submitted that Neches does not anticipate the recited claims, and that the Section 102 rejection of the independent claims is overcome. The Section 103 rejection of the dependent claims is believed to be overcome based on the allowability of their respective base claims.

"sending forward messages to available destinations" and "receiving corresponding reverse messages"

Claim 1 further recites "for first forward messages whose corresponding first destinations are available, simultaneously sending the first forward messages to their corresponding first destinations" and "subsequent to receiving the first forward messages, simultaneously receiving, after a predetermined period of time, a plurality of reverse messages from the first destinations, each reverse message corresponding to one of the first forward messages."

The examiner cited the following portions of Neches for showing these recited features: col. 4, line 29 - col. 6, line 22; col. 11, line 29 to col. 12, line 42, col. 15, line 25 to col. 18, line 21; and col. 43, line 48 to col. 44, line 57.

As noted above, in a Section 102 rejection, it is not enough that a reference discloses all the claimed elements in isolation. Anticipation also requires that all the claimed

Appl. No. 09/925,159
Amdt. sent March 9, 2006
Reply to Office Action of September 14, 2005

PATENT

elements must found in the reference and be arranged as recited in the claim. To the extent that the examiner has relied on these various portions of Neches for teaching the elements of these features of the claim, it is earnestly submitted that the rejection is overcome because Neches simply does not show that the elements are arranged as recited in the claims.

First, it is not clear which, if any, of the recited elements are supposed to be shown. Second, the cited portions are descriptions of different parts of the Neches system. For example, column 4, line 29 to column 6, line 22 is a summary of the entire system. There is a mention about messages, but Neches discusses contention among messages (col. 4, lines 41-59, col. 5, lines 50-62), but there is no discussion about forwarding messages to available destinations and subsequently receiving reverse messages. There is a mention about "the status of each resource" (col. 6, lines 16-17), but there is no teaching that the status refers to sending a forward message to an available destination.

Column 11, line 29 to column 12, lines 42 is a description of the nodes and internal operation of the network 50 shown in Fig. 1. The text describes prioritized movement of message packets. *Col. 11, lines 62-65.* This is not the forwarding of forward messages to available destinations. Also, there is no discussion of receiving reverse messages.

Column 15, line 25 to column 18, line 21 is a description of the "GLOBAL INTERCOMMUNICATION AND CONTROL," discussed above. This is a description of the interaction between the IFP/AMP and the network 50. The text describes "the interface section of every processor generates a response message." *Col. 16, lines 17-19.* This, however, does not disclose the recited "receiving, after a predetermined period of time, a plurality of reverse messages from the first destinations."

Column 43, line 48 to column 44, line 57 is a discussion of a "merge" operation that can be performed by the system shown in Fig. 1. This is merely a discussion of a specific example of how the Neches system can be used. As understood, this description does not show any of the recited elements in the above claimed features.

For at least these reasons, it is earnestly submitted that Neches does not anticipate the recited claims, and that the Section 102 rejection of the independent claims is overcome. The

Appl. No. 09/925,159
Amdt. sent March 9, 2006
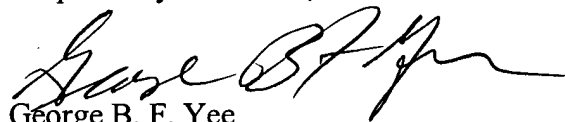Reply to Office Action of September 14, 2005

PATENT

Section 103 rejection of the dependent claims is believed to be overcome based on the allowability of their respective base claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

George B. F. Yee
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
GBFY:cmm
60593331 v1